



**CITY OF FAIRBURN  
CITY HALL  
56 Malone Street  
Fairburn, GA 30213  
September 26, 2016  
7:00 P.M.**

The Honorable Mayor Mario Avery

The Honorable Lydia Glaize  
The Honorable Elizabeth Hurst  
The Honorable Hattie Portis-Jones

The Honorable Alex Heath  
The Honorable Pat Pallend  
The Honorable James Whitmore

Stephen Hood  
Stephanie Tigner  
William Randy Turner

Interim City Administrator  
Interim City Clerk  
City Attorney

**I. MEETING CALLED TO ORDER: Honorable Mayor Mario Avery.**

**II. ROLL CALL:** All members were present which constituted a quorum.

**III. INVOCATION:** was provided by Honorable Mayor Mario Avery.

**IV. PLEDGE OF ALLEGIANCE:** was recited in unison.

**V. PRESENTATION:** none.

**VI. PUBLIC COMMENTS:**

1. Margo Young, 33 West Campbellton Street, said I am the owner of the antique shop in Fairburn. She said she has owned her business in Fairburn for six years and Fairburn has been great to me. She asked if the outdoor display permit would allow you to display items in the area that is not in the parking lot. Ms. Young said she does not want to be in conflict with the law.

**VII. ADOPTION OF THE COUNCIL AGENDA:**

Council Member Hurst made a motion to adopt the Council Agenda with Consent Items #4 First Industrial Realty (Oakley Distribution Center)-15P-004, #5 Snap Properties, LLC-16-P -004, and #8 Fairburn Market Manager Personal Service Contract and remove Item #3 Reconsideration of the Zayo Pole Attachment Agreement with Council Member

Heath providing the second. **The motion carried.**

**VIII. CONSENT AGENDA:**

Council Member Glaize made a motion to approve the Consent Agenda Items

4. First Industrial Realty (Oakley Distribution Center)-15P-004 (Planning)

5. Snap Properties, LLC-16-P -004 (Planning)

8. Fairburn Market Manager Personal Service Contract (Council Member Portis-Jones)

Council Member Whitmore provided the second. **The motion carried.**

**IX. APPROVAL OF CITY COUNCIL MINUTES:** City Council Minutes of September 12, 2016.

Council Member Heath made a motion to approve the City Council Minutes of September 12, 2016 with Council Member Glaize providing the second.

Council Member Glaize stated there is a correction on page 13, line 9; the correct spelling of the word is residents. The correction was noted and **the motion carried.**

**X. PUBLIC HEARING:**

1. Adoption of the 2016-17 City of Fairburn Municipal Budget (Administration)

Mayor Avery opened the Public Hearing on the 2016-17 City of Fairburn Municipal Budget and asked all that wishes to speak to come forward.

1. James Sumners, 112 Shannon Chase Court, said last year the budget was more transparent for the public. He said he was not able to locate a copy of the proposed budget on the website.

Mayor Avery called for any other speakers wishing to speak. There were no speakers. Mayor Avery closed the Public Hearing on the 2016-17 City of Fairburn Municipal Budget.

Council Member Whitmore made a motion to approve the 2016-17 City of Fairburn Municipal Budget that would include \$50,000 to be transferred from the surplus amount to Economic Development line in the budget with Council Member Heath providing the second. **The motion carried.**

## XI. AGENDA ITEMS:

### 2. Reconsideration of the Contract Award for Construction Management Services with Moreland Altobelli (Engineering)

Council Member Whitmore made a motion to reconsider the Contract Award for Construction Management Services with Moreland Altobelli with Council Member Heath providing the second. **The motion carried.**

Council Member Heath made a motion to bring back to the floor the Contract Award for Construction Management Services with Moreland Altobelli with Council Member Glaize providing the second.

Council Member Whitmore said he received the agenda late on Friday and did not have enough time to prepare. He wanted to know the projects that the Construction Manager would perform.

Community Development Director & City Engineer Brendetta Walker said in the RFP and the proposal we mentioned the CM/PM for LMIG and CDBG projects and other special projects as they come. One of those special projects could be the fire station parking lot. Those projects would have to be assigned based on scheduling and staff and contractor availability. Each of those would be in a distinct task order with a cost attached for Council approval.

Council Member Whitmore said the contract was open-end for 3 years with the three projects that you mentioned and the special projects as they come along. I feel that this is too open-ended; I would like to narrow the scope. He said we have a flat line budget for 2016-17 and to consider the taxpayers and responsible for monies going out to vendors. He wanted to know if there would be a problem with reducing the contract time from 3 to 1 year.

Community Development Director & City Engineer Brendetta Walker said that is fine. She said all task orders will come back before the Council for approval whether the 10% threshold is met or not.

Council Member Whitmore asked if all of the companies that submitted their bids were provided the projects for consideration.

Community Development Director & City Engineer Brendetta Walker said Mr. Simpson did not come to us for any review. It is probably in the proposal. She said they probably did a public records search of our LMIG or CDBG projects or projects that have done with us in the past.



Council Member Whitmore said I am looking at the paperwork submitted and it alarmed me that the verbiage was in there. At the last meeting he asked if there were any projects that be performed in-house.

Community Development Director & City Engineer Brendetta Walker said we can do some small projects in-house. The larger paving jobs that take 60-90 days would be a challenge to do.

Council Member Whitmore asked if the fire station parking lot paving could be done in-house.

Community Development Director & City Engineer Brendetta Walker said “yes”.

Council Member Whitmore asked if the selection committee reviews the proposals as a group or individually?

Community Development Director & City Engineer Brendetta Walker said it was done individually.

Council Member Whitmore said was everything correlated in engineering.

Community Development Director & City Engineer Brendetta Walker said “yes”.

Council Member Whitmore then asked his colleagues if we can reduce the contract for Moreland Altobelli from 3 to 1 year and have the fire station parking lot paving project completed in-house.

Mayor Avery asked if the contract was a 3 year contract or annual renewal.

Community Development Director & City Engineer Brendetta Walker stated it is a 3 year.

Council Member Whitmore amended his motion to amend the contract with Moreland Altobelli to reflect a (3) to (1) year with Council Member Glaize providing the second.

Council Member Heath asked if you have a (3) year contract usually you will get a better rate.

Community Development Director & City Engineer Brendetta Walker said this is true. We can lock them in now with their hourly rate and as things get busy we do not have to go back and seek out another contractor; it would be more efficient.

Council Member Heath said so we will be saving taxpayers’ money. Do we have enough

projects in the year to keep the consultant busy?

Community Development Director & City Engineer Brendetta Walker said we have identified (3) potential projects, but we did not want to limit ourselves.

Council Member Heath said if the TSPLOST is approved in November we will be resurfacing all of the streets in the City. He then asked how long it would take to complete the project.

Community Development Director & City Engineer Brendetta Walker said TSPLOST would span over (5) years and we have it phased in two tiers. We would prioritize which streets are paved first out of the first and second tiers. She said this contract is not for TSPLOST, this is only for the (3) potential projects.

Council Member Glaize said I do believe that the (1) year is adequate.

Community Development Director & City Engineer Brendetta Walker said (1) year is adequate.

Council Member Whitmore wanted to know if the billing rates are comparable.

Community Development Director & City Engineer Brendetta Walker said yes, they are lower.

Mayor Avery said there is a standard process where 5 is the worst and 1 is the greatest. In the RFP process if there is record of poor performance by a vendor it will hurt in the evaluation process because now you have points being deducted that no one that has bid would be applicable to.

Council Member Glaize said Moreland Altobelli has won the particular RFP for the CM. We also received information last week that they were the selected choice for the land architect. They are usually the ones that bid on the larger projects in the City and they usually get them. So, I want to make sure that we are cognizant that there are the small businesses in and around the City. She said when the large businesses get contracts 2, 3, and 4 years and they are the consistent bidder who wins the proposal you don't give room for small, minority and women owned businesses. We are a City that is diverse in all those areas and we do not want to always exclude those who the government has said through the small business act that they should have some strong consideration.

Council Member Hurst said I went back and reviewed the evaluation form for the (5) vendors that applied. She said there was only a 25.2% difference between two vendors. She wanted to know why Moreland Altobelli was selected. She said we as a City need to be fair.

Community Development Director & City Engineer Brendetta Walker said we award the contract to the one with the highest score.

Mayor Avery said if you are .01% higher in the RFP process you win unless you were deemed non-responsive or non-responsible. He then explained the low-bidding process. He said he has addressed his concerns with the City Administrator and making modifications due to the appearance of not being fair.

Interim City Administrator said I have had conversation about the process with Engineering. He said our RFP tool is accurate but it does not have some of the things that Council is concerned about. He said it does not include inclusiveness, past performance and locks out input from staff.

*Council Member Whitmore restated the motion.*

Council Member Whitmore amended his motion to amend the contract with Moreland Altobelli to reflect a (3) to (1) year with Council Member Glaize providing the second. **The motion carried.** Council Members Pallend and Heath voted "No".

#### 6. Schedule of Fees for Development Services (Planning)

City Planner Tarika Peeks provided Mayor and Council with an overview of the Schedule of Fees for Development Services.

Council Member Pallend made a motion to approve the Schedule of Fees for Development Services for Outside Display with Council Member Glaize providing the second.

Council Member Hurst asked if there any information included about the maintenance of the Outdoor Display.

City Planner Tarika Peeks explained the ordinance.

Council Member Hurst wanted to know how the fee was determined.

City Planner Tarika Peeks said the planning department wanted to keep the fee nominal.

Council Member Hurst wanted to know if there are restrictions on the display size.

City Planner Tarika Peeks said yes, the ordinance states the height as 6ft and the shelf units should not exceed 4ft. **The motion carried.**



## 7. Police Audit Contract (Police)

Interim City Administrator Stephen Hood provided an overview of the Police Audit Contract.

Council Member Glaize made a motion to approve the contract for the Police Department Management Audit with McGrath Consulting Group in the amount of \$44,287.00 with Council Member Hurst providing the second. **The motion carried.** Council Members Pallend and Heath voting “No”.

## 9. Approval of Grant Resolution

Interim City Administrator Stephen Hood provided an overview of the Approval of Grant Resolution.

Council Member Pallend made a motion to approve the Resolution to Submit Grant Application Seeking \$500,000 or less and Requiring no local Match with Council Member Hurst providing the second.

Council Member Glaize made a substitute motion to approve the Resolution authorizing the Grant Writing Foundation apply for grants up to \$500,000 that do not require a match greater than \$50,000 in matching funds with Council Member Hurst providing the second.

Council Member Hurst said if \$50,000 is what we have in the budget, I do not have a problem with it. **The motion carried.** Council Member Heath voted “No”.

## XII. COMMENTS FROM COUNCIL:

Council Member Portis-Jones had no comments.

Council Member Pallend had no comments.

Council Member Glaize had no comments.

Council Member Hurst had no comments.

Council Member Heath had no comments.

Council Member Whitmore had no comments.

Mayor Avery announced that the City of Fairburn will host the Fairburn Festival this weekend.

### **XIII. ADJOURN:**

Council Member Portis-Jones made a motion to adjourn with Council Member Heath providing the second. **The motion carried.** The meeting adjourned at 7:53pm.

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Interim City Clerk, Stephanie Tigner

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Mayor, Mario Avery